

10/537622

JC09 Rec'd PCT/PTO 03 JUN 2005

PATENT

Customer No. 22,852
Attorney Docket No. 06267.0126

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:)
Tomi JARVINEN et al.) Group Art Unit: Unassigned
Application No.: Unassigned) Examiner: Unassigned
Filed: Herewith)
For: IMIDAZOL DERIVATIVES HAVING)
AFFINITY FOR ALPHA 2)
RECEPTORS ACTIVITY)

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(b)

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(b), Applicants bring to the attention of the Examiner the documents on the attached listing. This Information Disclosure Statement is being filed together with this application.

Copies of the listed foreign and non-patent literature documents are attached.

Copies of the U.S. patent publications are not enclosed.

Applicants respectfully request that the Examiner consider the listed documents and indicate that they were considered by making appropriate notations on the attached form and returning it to Applicants' undersigned representative.

With regard to the non-English language article of R. Makabe, that document is discussed on page 1 of the specification in the third full paragraph.

With regard to the non-English language EP 0 717 037, that document is believed to be a counterpart of U.S. Patent No. 5,658,938, which is identified in the attached listing.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that each or all of the listed documents are material or constitute "prior art." If the Examiner applies any of the documents as prior art against any claim in the application and Applicants determine that the cited documents do not constitute "prior art" under United States law, Applicants reserve the right to present to the office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should one or more of the documents be applied against the claims of the present application.

If there is any fee due in connection with the filing of this Statement, please charge the fee to our Deposit Account No. 06-0916.

Respectfully submitted,

FINNEGAN, HENDERSON, FARABOW,
GARRETT & DUNNER, L.L.P.

Dated: June 3, 2005

By: 

Steven J. Scott
Reg. No. 43,911

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IDS Form PTO/SB/08: Substitute for form 1449A/PTO

INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use as many sheets as necessary)

Sheet	1	of	1	Attorney Docket Number	06267.0126
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U.S. PATENTS AND PUBLISHED U.S. PATENT APPLICATIONS

Examiner Initials	Cite No. ¹	Document Number	Issue or Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
		6,313,311 B1	06 Nov. 2001	Karjalainen et al.	
		6,388,090	14 May 2002	Huhtala et al.	
		5,658,938	19 Aug 1997	Geerts et al.	

Note: Submission of copies of U.S. Patents and published U.S. Patent Applications is not required.

FOREIGN PATENT DOCUMENTS

Examiner Initials	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	Translation ⁶
		Country Code ³ Number ⁴ Kind Code ⁵ (if known)				
		EP 0 717 037 A1	19 June 1996			
		WO 97/12874	10 April 1997			
		WO 00/18400	06 April 2000			
		WO 01/30347 A1	03 May 2001			
		WO 01/051472 A1	19 July 2001			
		WO 03/099795	04 Dec. 2003			

NON PATENT LITERATURE DOCUMENTS

Examiner Initials ⁷	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	Translation ⁶
		R. Makabe, "Ophthalmologische Untersuchungen mit Dichlorphenylaminoimidazolin," Dtsch. med. Wschr., 91, Jg., Nr. 38, 23, pp. 1686-1688 (1966)	

Examiner Signature		Date Considered	
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.